

FILED

2018 May-25 PM 04:15
U.S. DISTRICT COURT
N.D. OF ALABAMA

Exhibit A



U.S. Department of Justice

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October 20, 2017

Re: United States v. Joel Iverson Gilbert

Dear Jack:

Thank you for your October 13, 2017, letter regarding discovery. The United States provided discovery, including a cover letter and index, immediately following arraignment on October 16, 2017. That production should provide answers to many of the issues raised in your letter. Additionally, the United States provides the following specific information in response to your letter.

Rule 16, Brady, Giglio: The United States has provided discovery pursuant to Rule 16 and, after careful review, all known *Brady* and *Giglio* material. We are mindful of our continuing duty to disclose. Although we did not provide a copy of Oliver Robinson's Information and Plea Agreement, those are public documents available on the Court's CM/ECF website. Please let me know if you would like us to provide a hard copy of those documents. The United States requests reciprocal discovery pursuant to Fed. R. Crim. P. 16(b) and paragraph B of the Court's Standing Discovery Order.

Prosecution Team: The prosecution team does not include the Environmental Protection Agency (EPA) or any state agency, including the Attorney General's Office.

Recordings: There are no recordings other than the two audio recordings that were made by Oliver Robinson for the defendants during his meetings with EPA and GASP, and the video of his appearance before the AEMC. These recordings are included in the discovery production.

Privilege Logs: The United States has not withheld discovery pursuant to any privilege. All privilege logs provided to the government by third parties have been included in the discovery production.

Unindicted Coconspirators: There are no known unindicted coconspirators at this time.

Expert Witnesses: The United States has no expert witness to identify at this time. Pursuant to Fed. R. Crim. P. 16(b)(1)(C), the United States requests a written summary of any expert testimony to be offered by the defense.

Codefendants' Statements: The United States has provided the Grand Jury testimony of the defendant and Steve McKinney, and the 302s summarizing the statement of David Roberson and the February 6, 2017, meeting between lawyers from Balch & Bingham (including the defendant and McKinney) and the United States Attorney's Office. We intend to introduce portions of each defendant's statement in a manner that will not implicate *Bruton*.

Rule 404(b) Evidence: The United States will identify any evidence it intends to offer pursuant to Fed. R. Evid. 404(b) on or before the deadline set by the Court.

Please do not hesitate to contact me if you would like to discuss these matters further.

Sincerely,

JAY E. TOWN
United States Attorney



George A. Martin, Jr.
Assistant United States Attorney